

FILED IN THE
U.S. DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

Jan 04, 2022

SEAN F. McAVOY, CLERK

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

LISA MARIE L.,

Plaintiff,

v.

COMMISSIONER OF SOCIAL
SECURITY,

Defendant.

NO: 1:21-CV-3059-RMP

ORDER GRANTING PARTIES'
STIPULATED MOTION TO REMAND

BEFORE THE COURT is the parties' Stipulated Motion to Remand pursuant to sentence four of 42 U.S.C. § 405(g). ECF No. 15. Plaintiff Lisa Marie L.¹ is represented by attorney D. James Tree. The Commissioner of Social Security is represented by Special Assistant United States Attorney Sarah E. Moum.

After consideration, **IT IS HEREBY ORDERED** that the parties' Stipulated Motion for Remand, **ECF No. 15**, is **GRANTED**. Pursuant to the parties' stipulation, the Commissioner's final decision is reversed and remanded for further

¹ The Court uses Plaintiff's first name and last initial to protect her privacy.

proceedings pursuant to sentence four of 42 U.S.C. §405(g). Upon remand to the Commissioner of Social Security, the Appeals Council should instruct the Administrative Law Judge to:

- reevaluate and reconsider the opinion provided by Dr. Drenguis;
- reassess the residual functional capacity;
- continue through the sequential evaluation process;
- make efforts to further develop the administrative record; and
- offer the claimant the opportunity for a new hearing

before issuing a new decision. *See* ECF No. 15 at 1–2.

Upon proper presentation, this Court will consider Plaintiff’s application for costs and attorney’s fees under 28 U.S.C. §§ 1920, 2412(d).

IT IS FURTHER ORDERED that Plaintiff’s Motion for Summary Judgment, **ECF No. 13**, is **DENIED AS MOOT**, and the caption in this matter shall be amended to reflect that Acting Commissioner Kilolo Kijakazi is substituted for Andrew Saul as the proper Defendant in this matter. *See* Fed. R. Civ. P. 25(d).

IT IS SO ORDERED. The District Court Clerk is directed to enter this Order and provide copies to counsel, enter judgment in favor of Plaintiff, and **close the file**.

DATED January 4, 2022.

s/ Rosanna Malouf Peterson
ROSANNA MALOUF PETERSON
United States District Judge